



National Guard Bureau Office of Legislative Liaison



FY09 Overseas Contingency Operations Supplemental Funding

Analysis of Supplemental Appropriations for Fiscal Year 2009.

As of 26 May 2009

Bills Status

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House (H.R. 2346)	<input checked="" type="checkbox"/> 7 May 2009	<input checked="" type="checkbox"/> 14 May 2009			
Senate (S. 1054)	<input checked="" type="checkbox"/> 14 May 2009	<input checked="" type="checkbox"/> 21 May 2009			

Executive Summary

Current Status – On 21 May the Senate amended and passed H.R. 2346, Making Supplemental Appropriations for Iraq, Afghanistan, Pakistan, and Pandemic Flu for Fiscal Year 2009. The House passed H.R. 2346 on 14 May. Members of the House and Senate will now Conference the bill to resolve the differences.

(All Dollars in Thousands)

Army National Guard	President's FY09 Supp Request	Senate Passed H.R. 2346 FY09 Supp	House Passed H.R. 2346 FY09 Supp	Conference FY09 Supp
ARNG Personnel*	\$1,439,333	\$1,542,333	\$1,373,273	
ARNG O&M*	\$203,339	\$203,339	\$178,446	
NGREA	\$0	\$300,000	\$300,000	

*FY 09 ARNG Personnel and O&M Numbers include Yellow Ribbon Funding

Air National Guard	President's FY09 Supp Request	Senate Passed H.R. 2346 FY09 Supp	House Passed H.R. 2346 FY09 Supp	Conference FY09 Supp
ANG Personnel*	\$17,860	\$46,860	\$101,360	
ANG O&M	\$0	\$0	\$0	
NGREA	\$0	\$50,000	\$50,000	

*FY 09 ANG Personnel Numbers include Yellow Ribbon Funding

National Guard and Reserve Equipment Account

NGREA Language - The House and Senate bills include \$500,000,000 for the National Guard and Reserve Equipment Account. The House report to accompany H.R. 2346 states:

“The National Guard and Reserve traditionally receive less than a proportionate share of funding to resource the equipment needs of the reserve forces. As a result, the Committee recommends funding for the National Guard and reserve forces as discussed below.

The Committee recommendation for the National Guard and Reserve Equipment Account is \$500,000,000. Of that amount, \$300,000,000 is for the Army National Guard; \$50,000,000 for the Air National Guard; \$75,000,000 for the U.S. Army Reserve; \$25,000,000 for the Navy Reserve; \$25,000,000 for the Marine Corps Reserve; and \$25,000,000 for the Air Force Reserve to meet urgent equipment needs that may arise this fiscal year. This funding will allow the Guard and reserve components to procure high priority equipment that may be used by these units for both their combat missions and their missions in support of the state governors.”

Army Accounts

Aircraft Procurement, Army – The House bill includes \$787,060,000 provided for modernization of AH-64 aircraft. Of that total, \$432,700,000 is available for the modernization of Army National Guard AH-64A aircraft to AH64D aircraft. The Senate bill includes no funding for AH-64 modernization.

(All Dollars in Thousands)

Aircraft Procurement-Army	President's FY09 Supp Request	Senate Passed H.R. 2346 FY09 Supp	House Passed H.R. 2346 FY09 Supp	Conference FY09 Supp
AH-64 MODS	\$354,360	\$0	\$787,060	

Air Force Accounts

Aircraft Procurement, Air Force – The House bill includes \$2,245,200,000 to procure eight C-17A aircraft. The President did not request these funds and the Senate did not include funding for C-17A aircraft. The House fully funded the President's request of four F-22 aircraft, while the Senate funded the four aircraft but rescinded \$147,000,000 of shut down funding.

(All Dollars in Thousands)

Aircraft Procurement-Air Force	President's FY09 Supp Request	Senate Passed H.R. 2346 FY09 Supp	House Passed H.R. 2346 FY09 Supp	Conference FY09 Supp
C-17	\$0	0\$	\$2,245,200	
F-22	\$600,000	\$498,000*	\$600,000	

*The Senate bill reflects the rescission of shut down funding.

The House report to accompany H.R. 2346 states:

“The Committee recommendation includes \$2,245,200,000 for the procurement of eight C-17 Globemaster III aircraft. The C-17 is the workhorse of the theater, flying fifty percent of all sorties for the United States Transportation Command over the last 24 months. These missions range from airdrops for troops in forward locations to aeromedical evacuation of servicemembers from theater back to the United States. While the aircraft is designed to fly 1,000 hours per year over 30 years, over the last ten years the C17 fleet has averaged 1,250 hours per aircraft with some aircraft flying in excess of 2,400 hours in a single year. This heavy usage is reducing the expected service life of the aircraft. The aircraft included in the recommendation will alleviate some of these issues by introducing new aircraft into the inventory.

Further, the Committee is concerned that a decision on the continuation of the C-17 program was announced prior to the completion of the Mobility Capability and Requirements Study (MCRS), which will address the needs of the Department of Defense in 2016. Since the last MCRS in 2005, several changes have occurred that would change previous requirements to include the growth of ground forces, the increased size and use of Special Operations Forces, additional use of the C-17 in an intra-theater role, and the stand up of a new combatant command-United States Africa Command. It seems more prudent to continue the C-17 program until the results of the study are announced later this year.

Additionally, the Air Force is encouraged to work with Congress and the reserve component to replace aging C-5A aircraft with C-17 aircraft. While there are concerns that reserve component aircraft are not utilized at the same rate as aircraft assigned to Air Mobility Command, the Committee believes that the Air Force can develop plans to work with the reserve component to address some of these issues (i.e. active association with Guard units).”

Yellow Ribbon

Yellow Ribbon – The House and Senate bills include \$238,479,000 to support the Yellow Ribbon Reintegration program to help members of the National Guard and Reserve transition from combat to civilian life. The breakdown of the Yellow Ribbon funding appears below.

(All Dollars in Thousands)

Yellow Ribbon	President's FY09 Supp Request	Senate Passed H.R. 2346 FY09 Supp	House Passed H.R. 2346 FY09 Supp	Conference FY09 Supp
Yellow Ribbon (TOTAL)	\$238,479	\$238,479	\$238,479	
ARNG Personnel	\$53,641	\$53,641	-	
ARNG O&M	\$41,000	\$41,000	-	
ANG Personnel	\$17,860	\$17,860	-	

Border Security

Border Security – The House bill includes \$350,000,000 in the Defense-Wide Operation and Maintenance Account to provide for National Guard border security activities. The Senate bill provides \$350,000,000 for specific purposes relevant to the Southwest Border activities, but none for the National Guard. The funds are broken out as follows: the Department of Homeland Security (\$140,000,000); the Department of Justice (\$110,000,000); and the Department of Health and Human Services (\$100,000,000).

(All Dollars in Thousands)

Defense-Wide O&M	President's FY09 Supp Request	Senate Passed H.R. 2346 FY09 Supp	House Passed H.R. 2346 FY09 Supp	Conference FY09 Supp
National Guard Border Security	\$350,000	\$0	\$350,000	

Legislative Changes

The House bill contains two legislative changes that are not included in the Senate version.

Sec. 10015 of the House bill would provide \$734,400,000 to make payments to members of the Armed Forces, including the reserve components, who at any time between September 11, 2001 and September 30, 2009 served on active duty while the members' enlistment or period of obligated service was extended. The payments would equal \$500 per month of extended service.

Sec. 10016 of the House bill would allow the Secretary of the Air Force to retire C-5A aircraft 15 days after certifying to Congress that retiring the aircraft would not significantly increase the operational risk of not meeting the National Defense Strategy and such retirement does not reduce the total strategic airlift force structure below 292 aircraft.